

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Transportation and Interstate Cooperation, to which was referred House Bill No. 1297, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 3, strike lines 30 through 32.
- 2 Page 3, line 33, delete "(13)" insert "**(12)**".
- 3 Page 4, between lines 7 and 8, begin a new line block indented and
- 4 insert:
- 5 **"(4) Withdraw from the interstate compact under**
- 6 **IC 25-32.2."**
- 7 Page 7, between lines 3 and 4, begin a new paragraph and insert:
- 8 "SECTION 6. IC 25-23-1-16.1 IS AMENDED TO READ AS
- 9 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 16.1. (a) A license to
- 10 practice as a registered nurse expires on October 31 in each
- 11 odd-numbered year. Failure to renew the license on or before the
- 12 expiration date will automatically render the license invalid without
- 13 any action by the board.
- 14 (b) A license to practice as a licensed practical nurse expires on
- 15 October 31 in each even-numbered year. Failure to renew the license
- 16 on or before the expiration date will automatically render the license
- 17 invalid without any action by the board.
- 18 (c) The procedures and fee for renewal shall be set by the board.
- 19 (d) At the time of license renewal, each registered nurse and each

licensed practical nurse shall pay an additional ~~three dollar (\$3)~~ fee **for the rehabilitation of impaired registered nurses and impaired licensed practical nurses.** The lesser of the following amounts from fees collected under this subsection shall be deposited in the impaired nurses account of the state general fund established by section 34 of this chapter:

(1) ~~Three dollars (\$3)~~ **Sixteen percent (16%) of the license renewal fee** per license renewed under this section.

(2) The cost per license to operate the impaired nurses program, as determined by the health professions bureau."

Page 7, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 8. IC 25-23-1-31 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 31. (a) As used in this section, "impaired registered nurse or licensed practical nurse" means a registered nurse or licensed practical nurse who has been affected by the use or abuse of alcohol or other drugs.

(b) The board shall assist in the rehabilitation of an impaired registered nurse or licensed practical nurse.

(c) The board may do the following:

(1) Enter into agreements, provide grants, and make other arrangements with statewide nonprofit professional associations, ~~or~~ foundations, **or other entities specifically devoted to the rehabilitation of impaired health care professionals** to identify and assist impaired registered nurses and licensed practical nurses.

(2) Accept and designate grants, public and private financial assistance, and licensure fees to fund programs under subdivision (1) to assist impaired registered nurses and licensed practical nurses.

(d) Except as provided in subsection (f), all:

(1) information furnished to a nonprofit professional association, ~~or~~ foundation, **or other entity specifically devoted to the rehabilitation of impaired health care professionals**, including interviews, reports, statements, and memoranda; and

(2) findings, conclusions, or recommendations that result from a proceeding of the professional association, ~~or~~ foundation, **or other entity specifically devoted to the rehabilitation of impaired health care professionals;**

1 are privileged and confidential.

2 (e) The records of a proceeding under subsection (d) may be used
3 only in the exercise of proper functions of the board, and may not
4 become public records or subject to a subpoena or discovery
5 proceeding.

6 (f) Information received by the board from the board designated
7 rehabilitation program for noncompliance by the registered nurse or
8 licensed practical nurse may be used by the board in any disciplinary
9 or criminal proceedings instituted against the impaired registered nurse
10 or licensed practical nurse.

11 (g) The board designated rehabilitation program shall:

12 (1) immediately report to the board the name and results of any
13 contact or investigation concerning an impaired registered nurse
14 or licensed practical nurse who the program believes constitutes
15 a certain, immediate, and impending danger to either the public
16 or the impaired registered nurse or licensed practical nurse; and
17 (2) in a timely fashion report to the board an impaired registered
18 nurse or licensed practical nurse:

19 (A) who refuses to cooperate with the program;

20 (B) who refuses to submit to treatment; or

21 (C) whose impairment is not substantially or significantly
22 alleviated through treatment, as determined by accepted
23 medical standards.

24 SECTION 9. IC 25-23-1-34 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 34. (a) The impaired
26 nurses account is established within the state general fund for the
27 purpose of providing money for providing rehabilitation of impaired
28 registered nurses or licensed practical nurses under this article. The
29 account shall be administered by the health professions bureau.

30 (b) Expenses of administering the account shall be paid from money
31 in the account. The account consists of the **following**:

32 (1) **The** additional fee collected under section 16.1(d) of this
33 chapter.

34 (2) **Funds collected under section 31(c)(2) of this chapter.**

35 (3) **Funds collected under IC 25-23.2-3-5.**

36 (4) **Fines collected from registered nurses or licensed practical**
37 **nurses under IC 25-1-9-9(a)(6).**

38 (c) The treasurer of state shall invest the money in the account not

currently needed to meet the obligations of the account in the same manner as other public money may be invested.

(d) Money in the account is appropriated to the board for the purpose stated in subsection (a)."

Page 7, between lines 31 and 32, begin a new paragraph and insert:

"Sec. 0.5. It is the purpose of this compact to allow qualified nurses who are licensed in a compact state to practice nursing in another compact state and to reduce redundant licensing requirements of nurses who practice in multiple states."

Page 9, line 41, delete "by the state practice laws of a party state." and insert **"in IC 25-23-1."**

Page 10, line 29, delete "A" and insert **"(a) If a"**.

Page 10, line 29, delete ":".

Page 10, line 30, delete "(1)".

Page 10, run in lines 29 through 30.

Page 10, line 32, delete ";" and insert ".".

Page 10, line 33, delete "(2)" begin a new paragraph and insert:

"(b) If a nurse changes primary state of residence by".

Page 10, line 36, delete "; or" insert ".".

Page 10, line 37, delete "(3)", begin a new paragraph and insert:

"(c) If a nurse changes primary state of residence by".

Page 10, line 41, after "Sec. 5." insert **"(a)"**.

Page 10, line 41, delete "attains" and insert **"obtains"**.

Page 10, line 42, delete "must" and insert **"shall"**.

Page 11, line 2, delete "bureau." and insert **"board. Before commencing employment the nurse shall obtain approval from the board."**

(b) Each registered nurse and each licensed practical nurse who holds a multistate licensure privilege in Indiana shall notify the board of a change of address within thirty (30) days after the change.

(c) Notification of multistate licensure privilege as a registered nurse expires on October 31 in each odd-numbered year. Failure to update the notification of multistate licensure privilege on or before the expiration date automatically renders the multistate licensure privilege invalid without any action by the board.

(d) Notification of multistate licensure privilege to practice as a licensed practical nurse expires October 31 in each even-numbered

1 year. Failure to update the notification of multistate licensure
 2 privilege on or before the expiration date automatically renders the
 3 multistate licensure privilege invalid without any action by the
 4 board.

5 (e) Multistate licensure privileges invalidated under this section
 6 may not be reinstated.

7 (f) A nurse whose privileges have been invalidated under this
 8 section may obtain new multistate licensure privileges by
 9 complying with subsection (a).

10 (g) The procedures and fee for updating the multistate licensure
 11 privilege shall be set by the board.

12 (h) At the time of updating the notification of multistate
 13 licensure privilege, each registered nurse and each licensed
 14 practical nurse shall pay the fee for updating the multistate
 15 licensure privilege.

16 (i) Sixteen percent (16%) of the amount of fees collected under
 17 this section shall be deposited in the impaired nurses account of the
 18 state general fund established by IC 25-23-1-34."

19 Page 11, line 5, delete "or the attorney general".

20 Page 12, line 22, delete "database" and insert "data base".

21 Page 12, line 28, delete "or attorney generals".

22 Page 14, between lines 33 and 34, begin a new paragraph and insert:

23 "Sec. 3. This article expires July 1, 2006."

24 Page 14, between lines 36 and 37, begin a new paragraph and insert:

25 "(b) Before July 1, 2003, the state board of nursing shall adopt
 26 rules under IC 4-22-2 to administer IC 25-23.2, as added by this
 27 act."

28 Page 14, line 37, delete "(b)" and insert "(c)".

29 Page 14, after line 37, begin a new paragraph and insert:

30 "SECTION 9. [EFFECTIVE JULY 1, 2002] (a) Notwithstanding
 31 IC 25-23.2-3-5, as added by this act, the health professions bureau
 32 shall charge a fee of at least ten dollars (\$10) to a nurse who files
 33 a multistate licensure privilege form upon obtaining employment
 34 as a nurse in Indiana.

- 1 **(b) This SECTION expires December 1, 2002."**
- 2 Renumber all SECTIONS consecutively.
(Reference is to HB 1297 as printed January 24, 2002.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

Riegsecker

Chairperson